

**REMARKS**

Reconsideration and withdrawal of the rejections are respectfully requested in view of the foregoing amendments and remarks presented below.

Applicants greatly appreciate the timely indication of allowable subject matter for Claims 1, 3-6, 8-15, 21, 32 and 43-47.

Examiner's telephone interview

The undersigned wishes to thank Examiner Malamud for the courtesies extended during the 14 February 2011 Examiner's telephone interview. The interview was requested to confirm the reasons why the claims were allowed.

Applicants intended meaning for a "non-invasive sensor" in Claim 1 is a sensor that is either not implanted within a patient's body, or not implanted separately from an implanted pump or controller. Examiner Malamud indicated that Claims 1 and 43 were allowed based on the combination of claim elements. Claims 1 and 43 were not allowed merely because they recited a "non-invasive sensor" or detecting a "heart rate and physical motion of the user . . . non-invasively", respectively.

The rejection of Claim 17 under 35 U.S.C. § 112

Claim 17 stands rejected. Claim 17 is amended and complies with all requirements of Section 112. Allowance of Claims 17-20 is requested.

The rejection of Claims 33-42 under 35 U.S.C. §§ 103, 102

Claims 33-42 stand rejected over the prior art. These claims are canceled.

**CONCLUSION**

In light of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully requested. If necessary to affect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to affect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. **07-1850**.

Respectfully submitted,

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